



UNDER SECRETARY OF DEFENSE
1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

NOV 3 2008

COMPTROLLER

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

This letter is to report an Antideficiency Act violation, Army case number 05-17, as required by Title 31, United States Code, Section 1517(b). The violation occurred when Third Army, United States Army Central Command improperly used Fiscal Year (FY) 2004 Operation and Maintenance, Army funds to construct two phases of an internment facility located at Camp Bucca, Iraq. The Army should have funded the project with Military Construction, Army funds or sought Contingency Construction Authority under Section 2808 of the National Defense Authorization Act for FY 2004. The violation of Title 31, United States Code, Section 1517(a) totaled \$16,802,792.

Brigadier General Scott G. West, Deputy Chief of Staff, Logistics, Multi National Forces - Iraq was responsible for Phase I of construction and Major General Gerald P. Minetti, Deputy Chief for Resources and Sustainment, was responsible for Phase II. Both were issued memorandums of concern. Corrective action has been taken by the Department of Defense General Counsel, the Office of the Under Secretary of Defense (Comptroller), and the Army. The Army concluded there was no knowing or willful violation of the Antideficiency Act.

Enclosed is a letter and report from the Deputy Assistant Secretary of the Army, Office of the Assistant Secretary of the Army (Financial Management and Comptroller) transmitting the violation of Title 31, United States Code, Section 1517(a). Copies of the letter and report were submitted to the President of the Senate, the Speaker of the House of Representatives, the Acting Comptroller General of the United States, and the Director of the Office of Management and Budget.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Douglas A. Brook".

Douglas A. Brook
Acting

Enclosure:
As stated



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COMPTROLLER

The Honorable Richard B. Cheney
President of the Senate
285 Eisenhower Executive Office Building
Washington, DC 20501

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Sincerely,

Douglas A. Brook
Acting

Enclosure:
As stated



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COMPTROLLER

The Honorable Nancy Pelosi
Speaker of the U.S. House of Representatives
U.S. House of Representatives
Washington, DC 20515

Dear Madam Speaker:

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Enclosed is a letter and report from the Deputy Assistant Secretary of the Army, Office of the Assistant Secretary of the Army (Financial Management and Comptroller) transmitting the violation of Title 31, United States Code, Section 1517(a). Copies of the reports and similar letters were submitted to the President, the President of the Senate, the Acting Comptroller General of the United States, and the Director of the Office of Management and Budget.

Sincerely,

Douglas A. Brook
Acting

Enclosure:
As stated